

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 2159 of 2021 (O&M)

Date of decision:- 11.02.2021

Pradeep Kumar and others

.....Petitioners

Versus

Gurugram Metropolitan Development Authority and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE SUVIR SEHGAL, JUDGE.**

Present:- Mr. C.B.Goel, Advocate, for the petitioners.
Mr. Deepak Balyan, Addl. Advocate General, Haryana.
(The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual Court).

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RAVI SHANKER JHA, C.J. (ORAL)

The petitioners have filed this petition for issuance of a writ in the nature of certiorari to quash memo No. 293 dated 07.09.2020 (Annexure P-9) and also to prohibit the respondent-authorities from constructing the Sewerage Treatment Plant (STP) in pond comprised in khasra No.126 in village Dhankot, Tehsil Kadipur, District Gurugram.

Learned counsel appearing for the petitioners submits that to redress their grievances, the petitioners have served upon a legal notice dated 21.12.2020 (Annexure P-4) upon the respondents but no action thereon has been taken as yet.

Learned Additional Advocate General appearing for the respondent-State of Haryana submits that the aforesaid legal notice dated 21.12.2020 (Annexure P-4) filed by the petitioners shall be considered and dealt with strictly in accordance with law laid down by the Supreme Court in *Hinch Lal Tiwari v. Kamla Devi and others 2001(6) SCC 496* as well as by this Court in *Ram Kumar v. Commissioner, Hisar Division, Hisar and another 2020(4) RCR (Civil) 885* expeditiously by the respondent-authorities and all steps would be taken to ensure preservation of the water bodies and decision thereof would be communicated to the petitioners.

In view of the aforesaid statement made by learned Additional Advocate General appearing for the respondent-State of Haryana, the petition stands disposed of.

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It is made clear that this Court has not expressed any opinion on the merits of the case and therefore, the respondent-authorities would be at liberty to examine the matter keeping all facts and facets into consideration and thereafter accept or reject the same in accordance with law.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(SUVIR SEHGAL)
JUDGE

11.02.2021
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No